COUNCIL DIRECTIVE

of 24 January 1979

amending Directive 64/432/EEC as regards brucellosis and prolonging, in respect of brucellosis, tuberculosis and swine fever, certain derogation measures granted to Denmark, Ireland and the United Kingdom

(79/111/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Articles 43 and 100 thereof,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine [1], as last amended by Directive 77/98/EEC [2], and in particular Article 4 (a) thereof,

Having regard to the proposal from the Commission [3],

Having regard to the opinion of the European Parliament [4],

Having regard to the opinion of the Economic and Social Committee [5],

Whereas there seem to be grounds for a herd of cattle to be described as officially brucellosis-free if it is situated in a Member State which has been completely free of the disease for a long period;

Whereas under Article 104 (3) of the Act of Accession, Denmark, Ireland and the United Kingdom were authorized to retain, until 31 December 1977, their national provisions for declaring a herd of cattle officially free of tuberculosis or free of brucellosis; whereas this authorization was extended until 31 December 1978 by Directive 78/51/EEC [6];

Whereas, in view of the time required to provide solutions to basic technical problems, it is necessary to prolong by six months the derogations by virtue of which the new Member States are authorized to retain the methods applied in their territory for declaring a herd of cattle officially tuberculosis free or, in the case of Ireland and the United Kingdom, brucellosis-free within the meaning of Article 2 of Directive 64/432/EEC;

Whereas, for the same reason and in order not to interrupt the traditional trade in live animals between Ireland and the United Kingdom, it is necessary to prolong for the same period certain special derogations granted in respect of such trade;

Whereas as regards swine fever, Denmark, Ireland and the United Kingdom were also authorized, most recently under Directive 78/54/EEC [7], to retain their national provisions on protection against this disease; whereas only Community rules on swine fever can provide a definitive solution to this problem; whereas these rules are being drawn up; whereas the derogations granted to the three Member States referred to above should therefore be prolonged for a period of one year in order to enable the Council to adopt common rules in this field,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The following paragraph shall be added to Annex A (II) (A) of Directive 64/432/EEC:

'1a. A bovine herd is also considered to be officially brucellosis-free if:

— it is situated in a Member State in which, on 1 January 1979, no case of bovine brucellosis has been officially recorded for at least 10 years;

— it has throughout this period satisfied the provisions of paragraph 1 above with the exception, provided that all the bovine herds in the Member State concerned have undergone regular official testing, of those under (c) (ii).'

2. Article 2 (e) of Directive 64/432/EEC shall be replaced by the following:

'(e) Officially brucellosis-free bovine herd: means a bovine herd which satisfies the conditions laid down in Annex A (II) (A) (1) or (1a);'.

(1) OJ No 121, 29. 7. 1964, p. 1977/64.
(2) OJ No L 26, 31. 1. 1977, p. 81.
(3) OJ No C 289, 2. 12. 1978, p. 4.
(4) Opinion delivered on 19 January 1979 (not yet published in the Official Journal).
(5) Opinion delivered on 19 December 1978 (not yet published in the Official Journal).
(6) OJ No L 15, 19. 1. 1978, p. 32.
(7) OJ No L 16, 20. 1. 1978, p. 22.